

REMARKS

Applicant submits this Reply in response to the Office Action mailed on October 30, 2007. In the Office Action, the Examiner rejected claims 1, 6-16, 19-22, and 25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman et al. (U.S. Patent No. 7,051,351) ("Goldman"), in view of Yuen et al. (U.S. Patent No. 5,995,092) ("Yuen")¹; rejected claims 2, 5, and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman and Yuen, in view of Khoo et al. (U.S. Patent No. 6,434,747) ("Khoo"); rejected claim 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman and Yuen, in view of Herz et al. (U.S. Patent No. 5,754,939) ("Herz"); and rejected claims 23 and 24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman and Yuen, in view of Campbell et al. (U.S. Patent No. 4,536,791) ("Campbell"). Claims 1, 2, and 5-25 are currently pending, with claims 1, 6, 7, 8, 16, and 17 being independent claims. Claims 1, 6, 7, 8, 16, and 17 are hereby amended.

Applicant thanks the Examiner for discussing the claims and potential claim amendments with Applicant's representative on January 17, 2008. This response includes a summary of the discussion.

Applicant respectfully traverses the rejection of claims 1, 6-16, 19-22, and 25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman in view of Yuen.

¹ Although claim 9 is not listed in the heading paragraph listing the claims rejected in view of Goldman and Yuen, the Examiner addressed claim 9 in this section. Therefore, Applicant assumes that the Examiner intended to include claim 9 in the heading paragraph.

A *prima facie* case of obviousness has not been established because neither Goldman nor Yuen, either alone or in combination, disclose or suggest all recitations of the claims, and the Office Action has neither properly determined the scope and content of prior art nor properly ascertained the differences between the claimed invention and the prior art. Accordingly, the Office Action has failed to clearly articulate a reason why the prior art would have rendered the claimed invention obvious to one of ordinary skill in the art. See M.P.E.P. § 2142.

Claim 1 recites, for example, “[a]n information processing apparatus for delivering contents data via a network to another apparatus” comprising, *inter alia*:

“second registration means for registering individual additional information of said contents data on the basis of at least said contents data,

wherein said individual additional information comprises overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is different from said overall individual additional information and is associated with one of a plurality of segments of the contents data, and scene individual additional information which is different from said overall individual additional information and is different from said segment individual additional information and is associated with one of a plurality of scenes in contents data”

Neither Goldman nor Yuen disclose the claimed second registration means.

Goldman discloses a method and system for displaying selected Internet advertisements based at least in part on television viewing habits of the person receiving the advertisements. Col. 1, lines 10-15. A user profile, in combination with selection criteria, may be used to select advertisements to be displayed for a recipient. Col. 4, lines 50-52. The user profile may include information “relating to the television program displayed on [a] display device.” Col. 8, lines 6-9. Thus, Goldman discloses displaying advertisements in information documents, and selecting the advertisements

based on television programs viewed by a user. Although Goldman discloses compiling “information related to the television program displayed on [a] display device,” col. 8, lines 6-9, Goldman does not disclose registering information comprising “overall individual additional information which is associated with the contents data as a whole,” “segment individual additional information which is different from said overall individual additional information and is associated with one of a plurality of segments of the contents data,” and “scene individual additional information which is different from said overall individual additional information and is different from said segment individual additional information and is associated with one of a plurality of scenes in contents data,” as recited in claim 1.

The Examiner asserts that column 8, lines 6-19 of Goldman discloses “overall individual additional information which is associated with the contents data as a whole,” “segment individual additional information which is . . . associated with one of a plurality of segments of the contents data,” and “scene individual additional information . . . associated with one of a plurality of scenes in contents data.” Office Action at 3. Applicant respectfully disagrees. Goldman discloses information “relating to the television program displayed on [a] display device.” *Id.* at lines 8-9. This portion of Goldman additionally describes “other user information” such as “demographic information, Internet usage data, [and] geographical information.” Yet none of these disclosed types of information include, *inter alia*, “overall individual additional information which is associated with the contents data as a whole,” “segment individual additional information which is different from said overall individual additional information and is associated with one of a plurality of segments of the contents data,”

and “scene individual additional information which is different from said overall individual additional information and is different from said segment individual additional information and is associated with one of a plurality of scenes in contents data,” as recited in claim 1.

Yuen fails to cure the deficiencies of Goldman. Yuen discloses sending information from a sender to a receiver, but does not disclose that the information includes “overall individual additional information which is associated with the contents data as a whole,” “segment individual additional information which is different from said overall individual additional information and is associated with one of a plurality of segments of the contents data,” and “scene individual additional information which is different from said overall individual additional information and is different from said segment individual additional information and is associated with one of a plurality of scenes in contents data,” as recited in claim 1.

For at least these reasons, neither Goldman nor Yuen, either alone or in combination, disclose or suggest the recitations of claim 1, and the Examiner has not established a *prima facie* showing of obviousness in rejecting claim 1. As such, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn, and the claim allowed.

Furthermore, claim 1 recites additional subject matter not disclosed by either Goldman or Yuen. For example, claim 1 recites, *inter alia*, “transmission means for transmitting said contents data and said individual data generated by said generation means via said network to said other apparatus, to enable said contents data, said general additional information and said individual additional information to be

simultaneously displayed on a display screen at said other apparatus,” wherein “said transmission means is configured to deliver said contents data together with said individual data in response to a request generated by said other apparatus.” Because neither Goldman nor Yuen disclose or suggest at least the recited “individual additional information,” Goldman and Yuen also fail to disclose or suggest the recited “transmission means.”

For at least these additional reasons, neither Goldman nor Yuen, either alone or in combination, disclose or suggest all recitations of claim 1, and the Office Action has failed to clearly articulate a reason why the prior art would have rendered the claimed invention obvious to one of ordinary skill in the art. As such, a *prima facie* case of obviousness has not been established. Accordingly, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn and the claim allowed.

Independent claims 6, 7, 8, and 16, though of different scope from claim 1, also recite, *inter alia*, “overall individual additional information which is associated with the contents data as a whole,” “segment individual additional information which is different from said overall individual additional information and is associated with one of a plurality of segments of the contents data,” and “scene individual additional information which is different from said overall individual additional information and is different from said segment individual additional information and is associated with one of a plurality of scenes in contents data.” Therefore, the rejection of claims 6, 7, 8, and 16 under 35 U.S.C. § 103(a) should be also withdrawn and the claims allowed.

Claims 9-15, 19-22, and 25 each depend from one of independent claims 1, 6, 7, or 8. Accordingly, the rejection of claims 9-15, 19-22, and 25 should be withdrawn and the claims allowed.

Applicant respectfully traverses the rejection of claims 2, 5, and 17 as allegedly being unpatentable over Goldman and Yuen, in view of Khoo; claim 18 as allegedly being unpatentable over Goldman and Yuen, in view of Herz; and claims 23 and 24 as allegedly being unpatentable over Goldman and Yuen, in view of Campbell.

Claims 2, 18, 23, and 24 depend from claim 1 and therefore include all of the recitations of claim 1. As discussed above, the a *prima facie* showing of obviousness has not been made in rejecting claim 1 in view of Goldman and Yuen. Furthermore, none of Khoo, Herz, or Campbell repair the deficiencies of Goldman and Yuen discussed above. As such, Applicant requests that the rejection of claims 2, 18, 23, and 24 be withdrawn and, the claims be allowed.

Independent claim 17, though of different scope from claim 1, also recites, *inter alia*, “overall individual additional information which is associated with the contents data as a whole,” “segment individual additional information which is different from said overall individual additional information and is associated with one of a plurality of segments of the contents data,” and “scene individual additional information which is different from said overall individual additional information and is different from said segment individual additional information and is associated with one of a plurality of scenes in contents data.” As discussed above, Goldman and Yuen do not disclose these recitations. Furthermore, none of Khoo, Herz, or Campbell repair the deficiencies of Goldman and Yuen. Claim 5 depends from claim 17, and therefore includes all of the

recitations of claim 17. As such, the Examiner has not established a *prima facie* showing of obviousness, and Applicant requests that the rejection of claims 17 and 5 be withdrawn, and the claims allowed.

In view of the foregoing remarks, the claims are neither anticipated nor rendered obvious in view of the cited references. Applicant therefore requests the Examiner's reconsideration of the application and timely allowance of pending claims 1, 2, and 5-25.

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Reply, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicant's representative whose name and registration number appear below, at 202-408-4138 to discuss any remaining issues.

Please grant any extensions of time required to enter this Reply and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: January 25, 2008

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